

on the Government), the claimant will be immediately notified in writing of the contemplated action and the detailed reasons therefor and will be given a reasonable period, not to exceed 60 days, from the date on which such notice is mailed to his last address of record, for the presentation of additional evidence pertinent to the question. This procedure is for application except (1) in case of fraud; (2) in case of a change in law; (3) in case of a change of interpretation of law specifically provided in a Veterans' Administration issue; or (4) where the evidence establishes the service connection to be clearly illegal. (March 25, 1937.)

(E). When a reduction of an award for a service connected disability is considered warranted by reason of a change in the physical condition, the claimant will be notified in writing of the proposed action and the detailed reasons therefor and will be informed that sixty days from the date on which such notice is mailed to him his case will be reviewed upon the basis of any evidence that he may desire to submit in the meantime as to why such reduction should not be effectuated. The claimant will also be given the opportunity to appear before the rating agency which reviews his case at the expiration of the sixty day period. The rating agency, after consideration of the representations made by the veteran at the hearing or of any additional evidence submitted, will take such action as may be indicated to develop the evidence further, if necessary, but if it is considered that the available evidence warrants a reduction, an appropriate rating will be rendered, and the provisions of Veterans Regulation No. 2 (a), Part I, Paragraph III (b), will be applied as to the effective date of reduction upon the basis of such rating. (March 25, 1937.) (Public No. 2 and Public No. 141, 73d Congress.)

[SEAL]

FRANK T. HINES,  
*Administrator of Veterans' Affairs.*

[F. R. Doc. 37-846; Filed, March 24, 1937; 3:29 p. m.]

## REVISION OF REGULATIONS

## MISCONDUCT

1065. (A) A disabling condition will be considered to be the result of misconduct for the purpose of all adjudications under Veterans Regulation No. 1 (a), when it is shown to have been incurred under conditions or in a manner set forth by Veterans Regulation No. 10, paragraph IX, without regard to any prior determinations respecting the manner of its incurrence. A finding in any case that a disabling condition is of misconduct nature, as defined by Veterans Regulation No. 10, paragraph IX, will bar any right to pension or compensation under Veterans Regulation No. 1 (a).

(B) 1. The words "willful misconduct" are used in Section 27 of Public No. 141, 73d Congress, and in all cases arising under this Section of that law, the term "willful misconduct" as defined by precedents under the World War Veterans' Act, 1924, as amended, will be applied.

2. For the purpose of adjudications under Section 28, Title III, Public No. 141, 73d Congress, the definition established by precedents under Section 200, World War Veterans Act, 1924, as amended, for willful misconduct will be applied, instead of the definition of misconduct set forth in Veterans Regulation No. 10, paragraph IX.

3. For the purpose of adjudications under Section 31, Title III, Public No. 141, 73d Congress, the definition established by precedents under Section 213, World War Veterans' Act, 1924, as amended, for misconduct will be applied.

(C) Gross negligence or gross carelessness, as referred to in Veterans Regulation No. 10, paragraph IX, is defined as the want of slight care. (A. D. 191-B and 296). (March 25, 1937.)

[SEAL]

FRANK T. HINES,  
*Administrator of Veterans' Affairs.*

[F. R. Doc. 37-847; Filed, March 24, 1937; 3:29 p. m.]

Saturday, March 27, 1937

No. 59

## DEPARTMENT OF THE INTERIOR.

## Office of Indian Affairs.

## COLORADO RIVER INDIAN RESERVATION, CALIFORNIA AND ARIZONA

## ORDER OF RESTORATION

MARCH 8, 1937.

Whereas, section 25 of the Act of April 21, 1904 (33 Stats. 224), as amended by section 3 of the Act of March 3, 1911 (36 Stats. 1063), provided for the reclamation and disposal of lands in the Colorado River Reservation, California and Arizona, and

Whereas, it apparently was intended that after reclamation a portion of such lands should become a part of the public domain and made available for settlement under the public land laws, and

Whereas, no reclamation project was undertaken on the Colorado River Reservation under the reclamation Act of June 17, 1902 (32 Stat. 388), authorized by section 25 of the Act of April 21, 1904, supra, and no part of the lands of said reservation (except a small area in the townsite of Parker), has been opened to settlement and sale or other form of disposition under any of the public land laws of the United States, and such lands have always been regarded as constituting a part of the Colorado River Reservation, and

Whereas, the Indians of the Colorado River Reservation, the Superintendent in charge of that jurisdiction, and the Commissioner of Indian Affairs have recommended that the status of the unallotted or surplus lands of the reservation, including vacant townsite areas, be definitely restored as a part of the tribal holdings of the Indians of the Colorado River Reservation.

Now, therefore, by virtue of the authority vested in the Secretary of the Interior by sections 3 and 7 of the Act of June 18, 1934 (48 Stats. 984), I hereby find that restoration to undoubted tribal ownership of all undisposed of lands within the Colorado River Indian Reservation, including any vacant townsite lots within said reservation, will be in the public interest, and the said lands are hereby restored to such tribal ownership and are added to and made a part of the existing Colorado River Indian Reservation, subject to any valid existing rights, for the use and benefit of the Indians of that reservation and such other Indians as may be entitled to rights thereon.

HAROLD L. ICKES,  
*Secretary of the Interior.*

[F. R. Doc. 37-869; Filed, March 26, 1937; 9:37 a. m.]

## DEPARTMENT OF AGRICULTURE.

## Agricultural Adjustment Administration.

ECR-B-101-Kent County, Maryland

March, 1937

## 1937 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

## BULLETIN 101—KENT COUNTY, MARYLAND

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, payments will be made, in connection with the effectuation of the purposes of section 7 (a) of said Act for 1937, in accordance with the provisions of this East Central Region Bulletin 101 for Kent County in the State of Maryland and such modification or other provisions as may hereafter be made.

The 1937 Agricultural Conservation Program has been developed in accordance with the provisions of sections 8, 15, and 16 of the Soil Conservation and Domestic Allotment Act, but the payment of any benefits pursuant to the provisions

of this bulletin is contingent upon such appropriation, if any, as the Congress of the United States may hereafter make for such purpose, and the amounts of such payments will be finally determined by such appropriation and the extent of participation in the program. The rates of payment and the soil-building allowance set forth herein are computed upon the basis of an appropriation of \$500,000,000 for the 1937 program for the nation and 85 percent participation by farmers. The payments calculated in accordance with the provisions of Part I of this Bulletin 101 may be increased or decreased, depending upon the extent of participation in the East Central Region, but any such variation will not be in excess of 10 percent.

### Part I. Amount and Conditions of Payments

**SECTION 1. Farm Allowance.**—A farm allowance representing the maximum payment which can be earned will be established for each farm. The farm allowance for each farm will be \$1.60 for each acre of cropland in the farm varied according to the productivity of land used for the production of general soil-depleting crops on the farm and rounded to the nearest 10 cents. The index of productivity for each farm shall be the percentage which the normal yield of wheat for the farm is of the normal county average yield of wheat.

If, in accordance with section 3 below, the operator of any farm requests approval of a 1937 acreage of soil-depleting crops for the farm from 10 to 25 percent above the allotted acreage established for the farm, the farm allowance shall be one-half of the amount determined as provided above and rounded to the nearest dollar.

The acreage of cropland used in establishing the farm allowance for all farms in the county shall not exceed such acreage as shall be established for the county by the Agricultural Adjustment Administration.

**SECTION 2. Establishment of Farming Plan.**—A farming plan will be established for each farm in 1937 upon the recommendation of the County Committee under the supervision of the East Central Division. Such plan will include the following:

(a) Growing an acreage of soil-depleting crops not in excess of the allotted acreage for such crops, or not in excess of the approved acreage of such crops, whichever is applicable.

(b) Growing not less than a specified acreage of soil-conserving crops on land not used for soil-depleting crops in 1937.

(c) Carrying out specified soil-building practices.

The allotted acreage of soil-depleting crops established for farms shall, within the limits of the total acreage of soil-depleting crops established for all farms in the county by the Agricultural Adjustment Administration, be an acreage for each farm which is fair and reasonable for such farm, taking into consideration the following factors: the past production of crops; size, type of soil, production facilities, and farming practices; the allotted acreages established for similar farms in the county; and the soil-depleting bases established or which could have been established for such farm under the 1936 Agricultural Conservation Program.

The acreage of soil-conserving crops specified for each farm shall be that acreage which is obtained by subtracting from the total acreage of cropland in the farm the sum of the acreage of soil-depleting crops on the farm in 1937 and the normal acreage of idle cropland in the farm.

The soil-building practices specified for each farm shall be selected from the practices named in section 4 of Part II below and shall be such as will tend to meet the needs of the farm for soil restoration and conservation and result in economic use of the land in such farm.

**SECTION 3. Farms on which Operator Requests Approval of Soil-Depleting Acreage in Excess of the Allotted Acreage.**—The County Committee, at the request of the operator of the farm, shall approve (as requested by the operator) an acreage of soil-depleting crops for the farm for 1937 from 10 to 25 percent (both figures inclusive) above the allotted acreage for the farm. In such cases, the soil-building prac-

tices established for the farm shall have a value in points equal in number to not less than the number of dollars in the farm allowance established for the farm under section 1 above. For this purpose each soil-building practice shall have a value of 2 points per acre.

**SECTION 4. Payment.**—The payment for each farm will be the farm allowance, except that if the farming plan is only partially carried out the payment will be the farm allowance decreased by one dollar for each point by which the County Committee, under the supervision of the East Central Division, determines that the farming plan for the farm has not been carried out and by which any of the soil-building practices specified in the farming plan has been carried out with labor, seed, or other materials furnished in whole or in part by any State or Federal agency. For the purpose of determining the number of points by which the farm allowance will be decreased as provided above, each of the following items shall have a value in points as follows:

(a) For each acre (rounded to the nearest whole acre) of soil-depleting crops grown on the farm in 1937 in excess of the allotted acreage or in excess of the acreage approved for the farm, whichever is applicable: 10 points.

(b) For each acre by which the acreage of soil-conserving crops on the farm in 1937 falls below the acreage of soil-conserving crops established for the farm: 3 points.

(c) For each acre (rounded to the nearest whole acre) on which the carrying-out of a soil-building practice was specified but on which such practice was not carried out: 2 points.

**SECTION 5. Association Expenses.**—There shall be deducted pro rata from the payments made to members of the Kent County Agricultural Conservation Association all or such part, as the Secretary may prescribe, of the estimated administrative expenses incurred or to be incurred by the association in cooperating in carrying out the Soil Conservation and Domestic Allotment Act.

There shall be credited to the Kent County Agricultural Conservation Association for the payment of administrative expenses the sum of \$2.00 per application for that number of applications submitted by members of the association under which it is estimated by the Agricultural Adjustment Administration the total payment (prior to deduction of any administrative expenses) will be \$20.00 or less.

**SECTION 6. Payments Restricted to Effectuation of Purposes.**—All or any part of any payment which otherwise would be made to any person may be withheld if any practice is adopted by such person which the Secretary determines tends to defeat the purposes of the 1937 Agricultural Conservation Program.

**SECTION 7. Division and Calculation of Payments.**—The payment with respect to each farm will be divided among the producers who are parties to the lease or operating agreement in the proportion that such producers are entitled to share in the crops grown on the farm in 1937 or the proceeds thereof. If the County Committee finds that the payment which would be made to producers on the farm by dividing the payment for the farm on the basis of the shares of such producers in the crops grown on the farm in 1937 or the proceeds thereof would not accurately measure the contribution of the different producers toward carrying out the farming practices specified for the farm, the payment with respect to the farm may be divided upon the basis of an agreement of all producers on the farm.

Any share of payments shall be computed without regard to questions of title under State law, without deduction of claims for advances, and without regard to any claim or lien against the crop or proceeds thereof in favor of any creditor.

The payment to each producer shall be calculated to the nearest dollar. Fractions of 50 cents or less will be dropped and fractions of more than 50 cents will be considered as \$1.00.

### Part II. Soil-Building Practices and Classification of Crops

**SECTION 1. Soil-Depleting Crops.**—Land on which any of the following crops is grown shall be regarded as used for

the production of a soil-depleting crop for the year in which such crop is normally harvested. The acreage of land which is devoted to two or more soil-depleting crops in the same year shall be counted as soil-depleting only once.

- (a) Corn (field corn, sweet corn, and popcorn).
- (b) Broom corn.
- (c) Truck and vegetable crops, including also melons, strawberries, potatoes, and sweet potatoes.
- (d) Sorghum, when harvested.
- (e) Small grains: Wheat, oats, barley, rye, buckwheat, and grain mixtures; cut for hay or grain.
- (f) Annual grasses: Sudan, millet, and Italian ryegrass, harvested for hay or seed.
- (g) Summer legumes: Soybeans, velvet beans, field peas, and cowpeas, harvested for grain, hay or forage, except that for the year 1937 summer legumes grown as emergency hay crops on an acreage not in excess of that determined by the County Committee to be required to replace a shortage of feed on the farm caused by drouth in 1936 or 1937 may be disregarded in classifying the land on which such crops were grown.

(h) Bulbs and flowers.

**SECTION 2. Soil-Conserving Crops.**—Land devoted to any of the following crops and not used in the same year for the growing of any soil-depleting crop, as defined in section 1 of this Part II, shall be regarded as used for the production of a soil-conserving crop. Cropland from which no crop is harvested during 1937 and which is planted in 1937 not later than October 31 to any crop listed below (other than small grain seeded alone in the fall) shall be considered as soil-conserving. If two or more soil-conserving crops are grown on the same land during any year the acreage of such land counted as soil-conserving shall not exceed the acreage on which such crops are grown.

- (a) Biennial and perennial legumes: Sweet, red, alsike, white, and mammoth clovers; alfalfa; kudzu; and sericea.
- (b) Miscellaneous legumes: Vetch, Austrian winter peas; bur clover and crimson clover; annual varieties of lespedeza; crotalaria.
- (c) Summer legumes: Soybeans, velvet beans, field peas, and cowpeas, when not harvested for grain, hay, or forage.
- (d) Annual grasses: Sudan, millet, and Italian ryegrass, not harvested for hay or seed.
- (e) Perennial grasses: Bluegrass, Dallis, redtop, timothy, orchard grass, Bermuda, carpet grass, and mixtures of these.
- (f) Small grains: Rye, oats, barley, wheat, buckwheat, and grain mixtures, when not cut for grain or hay, provided a good growth is left on the land. (If plowed under or if a good growth is not left on the land the crop shall be disregarded in classifying the land on which grown except as otherwise provided.)
- (g) Forest trees, planted on cropland since January 1, 1934.
- (h) Sweet sorghums, not harvested.

**SECTION 3. Neutral Uses.**—Land devoted to the following uses shall be regarded as not used for the production of a soil-depleting crop or a soil-conserving crop:

- (a) Vineyards, tree fruits, small fruits, bush fruits, nut trees, and nursery stock, not interplanted. Any portion of the area which is interplanted shall carry the classification and actual acreage of such interplanted crop.
- (b) Idle cropland.
- (c) Cultivated fallow land.
- (d) Waste land, roads, lanes, lots, yards, and other similar noncrop land.
- (e) Woodland, other than cropland planted to forest trees since January 1, 1934.

**SECTION 4. Soil-Building Practices.**—When carried out in accordance with good farming practices not later than October 1, 1937, the following shall be considered as soil-building practices:

- (a) Seeding of approved seeds of any legume or perennial grass, with the exception of soybeans, velvet beans, field peas, or cowpeas.
- (b) Plowing or disking under green-manure crops.

(c) Applying not less than 1,000 pounds per acre of ground limestone or ground oyster shell, or not less than 700 pounds per acre of hydrated lime, or not less than 500 pounds per acre of burned lime.

(d) Applying not less than 100 pounds per acre of 16 percent superphosphate or its equivalent in connection with the seeding or maintaining of any legume (with the exception of soybeans, velvet beans, field peas, and cowpeas) or perennial grass, or on permanent pasture, or on green-manure crops plowed or disced under.

(e) Applying not less than 30 pounds per acre of 50 percent muriate of potash or its equivalent on land on which superphosphate has been applied, as provided in paragraph (d) above.

(f) Control of erosion in accordance with methods approved by the East Central Division.

### Part III. Miscellaneous Provisions

**SECTION 1. Land to be Included Under Application.**—An application for payment may be submitted with respect to any farm or with respect to any two or more farms operated by the same person.

**SECTION 2. Application and Eligibility for Payment.**—(a) Payment will be made only upon applications submitted through the county office. The Secretary reserves the right to withhold payment to any person who fails to file any form or furnish any information required with respect to any farm in which he is interested as owner or operator and to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the Director of the East Central Division.

(b) An application for payment may be made by any person who as owner, share-tenant, or sharecropper is entitled to receive a share or all of the crops produced on the farm in 1937 or the proceeds therefrom or who rents the land to a producer for cash or for a fixed commodity payment and who incurs any part or all of the expense of carrying out a soil-building practice specified for the farm.

(c) In the event of the death or legal incompetency of an applicant for payment, any payment which has not been received by such applicant prior to his death or incompetency and which would otherwise be made to such applicant shall be made to the person who, under rules prescribed by the Secretary, is determined to be eligible to receive such payment.

(d) A farm shall be regarded as being in Kent county if the principal dwelling on the farm is located in said county, or, in case there is no dwelling on the farm, if the major portion of the farm is located in said county.

(e) Any person who files an application for payment in a county shall file an application with respect to each farm owned or operated by such person in the county. Upon request by the State Committee such person also shall file an application with respect to any farm owned or operated by him in any other county.

**SECTION 3. Membership in Association.**—Any person having an interest in the crops produced on any farm (or the proceeds thereof) which is located in Kent County and who is not a member of the Kent County Agricultural Conservation Association shall become a member of the association whenever any form or information required in connection with the 1937 Agricultural Conservation Program is submitted for such farm. Any person shall cease to be a member of the association if an application for payment is not filed by him within the time specified by the Director of the East Central Division for the filing of applications.

**SECTION 4. Multiple Farm Holdings.**—If a person who has made application for a payment with respect to any farm or farms has an interest as owner or operator in another farm or farms in the county on which the acreage of soil-depleting crops in 1937 exceeds the allotted acreage of soil-depleting crops or the approved acreage of soil-depleting crops for the farm(s), whichever is applicable, and

such farm(s) have not been included in an application under which a payment can be made, the payment to be made to such person shall be decreased by an amount equal to such person's share of the net deductions with respect to such other farm or farms.

#### Part IV Definitions

As used herein and in all forms and documents relating to the 1937 Agricultural Conservation Program in the East Central Region, the following terms shall have the following meanings:

*Secretary* means the Secretary of Agriculture of the United States.

*East Central Region* means the area included in the States of Delaware, Maryland, Virginia, West Virginia, North Carolina, Kentucky, and Tennessee.

*Kent County* means the area included in Kent County, Maryland.

*East Central Division* means the division in the Agricultural Adjustment Administration in charge of the 1937 Agricultural Conservation Program in the East Central Region.

*State Committee, State Agricultural Conservation Committee, or State Office* means the group of persons designated for Maryland to assist in the administration of the 1937 Agricultural Conservation Program in the State.

*County Committee, County Agricultural Conservation Committee, or County Office* means the group of persons designated for Kent County to assist in the administration of the 1937 Agricultural Conservation Program in that county.

*Person* means an individual, partnership, association, corporation, estate, or trust, and, wherever applicable, a State, a political subdivision of a State, or any agency thereof, or any other government agency, that may be designated by the Secretary.

*Owner* means a person who owns land which is not rented to another for cash or for a fixed commodity payment, and shall include a person who rents land from another for cash or for a fixed commodity payment or who is purchasing land for cash or fixed commodity payments.

*Operator* means any person who as owner or share-tenant actively supervises and directs the farming activities throughout the 1937 farming season.

*Share-tenant* means a person, other than an owner or sharecropper, who is working a part or the whole of a farm and is entitled to receive a portion of the crops produced thereon or the proceeds thereof.

*Sharecropper* means a person who works a farm in whole or in part under general supervision of the operator and is entitled to receive for his labor a proportionate share of the crops produced on such farm, or of the proceeds thereof.

*Producer* means an owner, an operator, a share-tenant, or sharecropper, who, under the terms of his lease or operating agreement, is entitled to share in the crops grown on the farm in 1937 or the proceeds thereof.

*Cropland* means all farm land which is tillable and on which at least one crop other than wild hay was harvested or planted for harvest between January 1, 1930, and January 1, 1937, and any other farm land devoted on January 1, 1937, to orchards or vineyards other than those abandoned.

*Farm* means all land which is farmed by an operator in 1937 as a single unit with work stock, farm machinery, and labor substantially separate from that for any other land; provided that any such unit shall not be considered a farm unless the County Committee finds, from a consideration of such factors as size of unit, amount of labor applied, nature of farming operations, and practices carried out, that the participation of such unit in the 1937 Agricultural Conservation Program would tend to promote the economic use and conservation of the land and preserve and improve its fertility for agricultural purposes.

*Farm allowance* means the maximum amount, for any farm that may be obtained as payment in 1937 for carrying out the farming plan established for such farm.

*Allotted acreage* means that acreage of general soil-depleting crops established for a farm for 1937 in accordance with section 2 of Part I of this bulletin.

*Approved acreage* means an acreage of soil-depleting crops which is larger than the allotted acreage and which has been approved for the farm in accordance with section 3 of Part I of this bulletin.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 26th day of March, 1937.

[SEAL]

H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 37-879; Filed, March 26, 1937; 12:42 p.m.]

## DEPARTMENT OF COMMERCE.

### Bureau of Marine Inspection and Navigation.

#### RULES AND REGULATIONS FOR ISSUANCE OF THE CERTIFICATES OF SERVICE AND EFFICIENCY, CONTINUOUS DISCHARGE BOOKS, CERTIFICATES OF IDENTIFICATION AND CERTIFICATES OF DISCHARGE

By virtue of the authority prescribed by sections 1 and 7 of the act of June 25, 1936 (Public Law No. 808, 74th Congress, 49 Stat. p. 1930), and of section 1-f of the act of March 24, 1937 (Public Law No. 25, 75th Congress) the following rules and regulations are prescribed for the carrying out of the provisions of section 1 of the foregoing act of June 25, 1936, amending section 13 of the seamen's act of March 4, 1915 (38 Stat. p. 1169), relative to the issuance of certificates of service to able seaman, certificates of efficiency to lifeboat man, certificates of service to qualified member of the engine department and certificates of service to persons other than able seamen and qualified members of the engine department; and for carrying out of the provisions of the act of March 24, 1937 (Public Law No. 25) amending section 4551 R. S. as amended, relative to the issuance of continuous discharge books, certificates of identification and certificates of discharge.

#### SEC. 1. GENERAL

(a) An applicant for a certificate of service or efficiency, or for a continuous discharge book, or certificate of identification shall make written application, in duplicate, on Form 719-b, furnished by the Department of Commerce. The placing of finger or thumb prints on the application shall be optional with the seaman. This application may be for as many certificates or ratings for which the seaman believes he is qualified. In the case of a seaman applying for his first certificate of service or efficiency the application shall include a request for a continuous discharge book or certificate of identification.

(b) An applicant for a certificate of service for a rating other than as able seaman or qualified member of the engine department shall take oath before one of the local inspectors or other officer authorized to give such oath, that he will faithfully and honestly perform all the duties required of him by law and carry out all lawful orders of his superior officers on shipboard.

(c) Every person employed on any merchant vessel of the United States of 100 tons gross and upward, except those navigating rivers exclusively and the smaller inland lakes, below the rank of licensed officer, shall have a certificate of service issued by a board of local inspectors.

(d) When the application is submitted for a continuous discharge book or certificate of identification, and one certificate of service, the seaman shall furnish four (4) unmounted dull finish photographs of passport type (1½ x 2 inches) taken within 1 year. The photograph shall show the full face at least 1 inch in height, and shall show the head uncovered.

(e) When the application is for a certificate of service only three (3) such photographs shall be furnished. When additional certificates are requested, one (1) additional photograph is required for each additional certificate.

(f) The applicant shall produce with his application, discharges or affidavits as documentary evidence of his service, indicating the names of the vessels on which he has had service, in what capacity, and on what waters.

(g) All existing certificates of service as able seaman or certificates of efficiency as lifeboat man shall be surrendered, effective March 26, 1937. (Old form of certificates only.)

(h) All applicants for certificates of service or efficiency shall appear in person before a board of local inspectors or their assistant inspectors.

(i) If the applicant possesses a continuous discharge book or certificate of identification, it shall be exhibited to the board.

(j) The original copy of each application for a continuous discharge book or certificate of identification and/or certificate of service or efficiency shall be forwarded to the Bureau of Marine Inspection and Navigation at Washington. Such applications shall be accompanied by Form 719-f listing the names, continuous discharge book or certificate of identification numbers and/or certificates of service and efficiency numbers as shown on each application.

(k) An applicant claiming to be a citizen of the United States shall furnish satisfactory evidence of such citizenship to the issuing officer. Such evidence may be a birth certificate, Certificate of Naturalization, Marine License issued by the Bureau of Marine Inspection and Navigation, Seaman's Protection Certificate, old form of Seaman's Identification Certificate, Seaman's Passport, or an affidavit sworn to before a Notary Public by two persons who know he is an American citizen.

#### SEC. 2. CONTINUOUS DISCHARGE BOOKS AND CERTIFICATES OF IDENTIFICATION

[Act of March 24, 1937, amending sec. 4551 R. S. as amended]

(a) Every seaman employed on any merchant vessel of the United States of 100 gross tons or upward, except vessels employed exclusively in trade on the navigable rivers of the United States, shall be issued, at the option of the seaman, a continuous discharge book or certificate of identification upon application therefor, which shall be retained by him. This book or certificate of identification will bear a number, and this same number shall be shown on all certificates of service or efficiency issued to the holder of the book or certificate of identification. The term "navigable rivers" shall be held to include all waters over which a vessel inspected and certificated under the General Rules and Regulations prescribed by the Board of Supervising Inspectors for "Rivers" is permitted to be navigated.

(b) The shipping commissioner or, at ports where no shipping commissioner has been appointed, the collector or deputy collector of customs or United States local inspectors of steam vessels shall fill in the information required in the continuous discharge book or certificate of identification, which information shall be taken from the application, Form 719-B, and shall include the name of the seaman in full, his date of birth, personal description, statement of nationality, and home address. He shall also attach the seaman's photograph in the size and style herein required, impressing his official seal partly over same, and witness the seaman's signature, and shall have the seaman place his thumb print in the book or on the certificate of identification. Care must be taken that the above information is correctly entered.

(c) A monthly and yearly report shall be forwarded by all offices issuing continuous discharge books and certificates of identification to the Bureau of Marine Inspection and Navigation at Washington showing the total number of continuous discharge books and certificates of identification issued by their office.

(d) Every seaman, as referred to in subsection (a) of this section, shall produce a continuous discharge book or certificate of identification to the United States Shipping Commissioner before signing Articles of Agreement, and where the seamen are not signed on before a shipping commissioner the continuous discharge book or certificate of identification shall be exhibited to the master of the vessel at the time of his employment, as follows: As to vessels referred to in sub-

section (a) engaged in foreign and intercoastal voyages, immediately; and as to all other vessels referred to in subsection (a), on and after June 25, 1937. However, seamen who do not possess a continuous discharge book or certificate of identification may be employed at a foreign port or place provided that seamen so employed shall be furnished with either a continuous discharge book or certificate of identification at the first port of entry in the United States or its territories at which the vessel arrives after such seamen are employed.

(e) Only black ink shall be used in making entries in continuous discharge books, certificates of identification and certificates of discharge.

#### SEC. 3. ABLE SEAMAN

[Sec. 1 (a) act June 25, 1936, amending sec. 13, act March 4, 1915]

An applicant for a certificate of service as able seaman shall be at least 19 years of age and meet the following service requirements:

##### *High Seas and Inland Waters*

(a) Three years' service on deck at sea or on the Great Lakes on vessels of 100 gross tons or over to which sec. 1 (a) of the act of June 25, 1936, amending sec. 13 of the act of March 4, 1915, applies, including decked fishing vessels and vessels in the United States Government service of such tonnage.

(b) Graduates of school ships approved by and conducted under rules of the Secretary of Commerce who have served 12 months at sea following graduation.

(c) Twelve months on deck of such vessels at sea or on the Great Lakes.

##### *Great Lakes and Inland Waters*

(d) Eighteen months' service on deck at sea or on the Great Lakes, smaller lakes, bays or sounds on vessels of 100 gross tons or over to which sec. 1 (a) of the act of June 25, 1936, amending sec. 13 of the act of March 4, 1915, applies, including decked fishing vessels and vessels in United States Government service of such tonnage.

(e) No candidate for certificate of service as able seaman shall be examined until he presents an official certificate of a physician of the United States Public Health Service, or reputable physician acceptable to the local inspectors, that his eyesight, hearing and physical condition are such that he can perform the duties required of an able seaman, and that his color sense is normal.

(f) Before such a certificate is issued to any applicant, he shall prove to the satisfaction of the board of local inspectors, both by oral examination and by actual demonstration, that he has been trained in all the operations connected with the launching of lifeboats and life rafts, and the use of oars; that he is acquainted with the practical handling of the boats themselves; and, further, that he is capable of taking command of a boat's crew. If convenient to board and applicant, written examination may be given in lieu of oral examination.

(g) The examination shall consist of questions regarding lifeboats and life rafts, the names of their essential parts, and a description of the required equipment; the clearing away, swinging out, and lowering of boats and rafts, the handling of boats under oars, including questions relative to the proper handling of a boat in running before a heavy sea, in pulling into a sea, etc.; the construction and functions of gravity, radial, and quadrantal types of davits. There shall also be included questions concerning the applicant's knowledge of nautical terms; boxing the compass, either by degrees or points according to his experience; running lights, passing signals, fog signals for vessels on high seas, in inland waters, or on the Great Lakes depending upon the waters on which the applicant has had service; distress signals; knowledge of commands in handling the wheel by obeying orders passed to him as "wheelsman", and knowledge of the use of engine room telegraph or bell-pull signals.

(h) In the actual demonstration, the applicant shall show his ability by taking command of a boat and directing the



operation of clearing away, swinging out, lowering the boat into the water, and acting as coxswain in charge of the boat under oars. He shall demonstrate his ability to row by actually pulling an oar in the boat. He shall also demonstrate knowledge of a few of the principal knots, bends, splices, and hitches in common use by actually making them.

(i) All existing certificates of service as able seaman shall be surrendered, effective March 26, 1937 (old form of certificate only), and the above regulations for the issuance of certificates of service as able seaman, when affecting a person surrendering a bona fide certificate and applying for a new certificate in lieu thereof, shall be modified in the following respect:

No physical examination shall be required unless the applicant in the opinion of the local inspectors obviously suffers physical defects appearing to render him incapable of performing such duties; and no further examination shall be required if the local inspectors are satisfied—from the statements submitted by him in his affidavit and application, or from other evidence—that the applicant is qualified as an able seaman. The local inspectors shall also satisfy themselves that the applicant surrendering the certificate is the bona fide holder thereof before issuing a new certificate.

(j) Each certificate issued shall state the waters on which the holder is permitted to be employed as an able seaman.

Certificates issued to seamen under paragraph (a), and (b) of this section shall be issued for "any waters" and shall be green in color.

Certificates issued to seamen under paragraph (c) shall be for "any waters—12 months" and shall be blue in color. (Holders of certificates under this provision are limited to one-fourth of the number of able seamen required by law to be employed on a vessel.)

Certificates issued to seamen under paragraph (d) shall be for "Great Lakes—18 months service" and shall be blue in color. (Holders of certificates under this provision may comprise the required number of able seamen on vessels on the Great Lakes and on the smaller lakes, bays and sounds.) If the seaman possesses the requisite service for a certificate under paragraph (c), there shall be added "High Seas—12 months."

#### SEC. 4. LIFEBOAT MAN

[Sec. 1 (d) act June 25, 1936, amending sec. 13, act March 4, 1915]

(a) An applicant for a certificate of efficiency as lifeboat man shall have the qualifications and satisfactorily pass the examination prescribed by the existing rules and regulations of the Board of Supervising Inspectors. The certificates shall be issued to successful applicants by the local inspectors.

(b) All existing certificates of efficiency as lifeboat man shall be surrendered, effective March 26, 1937, (old form of certificate only) and a new certificate will be issued in lieu thereof, upon application therefor. No further examination shall be required if the local inspectors are satisfied—from the statements submitted by him in his affidavit and application, or from other evidence—that the applicant is qualified as a lifeboat man. The local inspectors shall also satisfy themselves that the applicant surrendering the certificate is the bona fide holder thereof before issuing a new certificate.

#### SEC. 5. QUALIFIED MEMBER OF THE ENGINE DEPARTMENT

[Sec. 1 (e) act of June 25, 1936, amending sec. 13, act of March 4, 1915]

(a) A qualified member of the engine department is any person below the rating of licensed officer and above the rating of coal passer, or wiper, who holds a certificate of service as such qualified member of the engine department issued by a board of local inspectors of the Bureau of Marine Inspection and Navigation. An applicant for a certificate of service as qualified member of the engine department shall produce to such inspectors definite proof of at least six months' service at sea in a rating at least equal to

that of coal passer or wiper in the engine department of vessels required to have such certificated men.

(b) No candidate for a certificate of service as a qualified member of the engine department shall be examined until he presents a certificate of a physician of the United States Public Health Service, or reputable physician acceptable to the local inspectors, attesting that his eyesight, hearing, and physical condition are such that he can perform the duties required of a qualified member of the engine department.

(c) Before such a certificate is issued to any applicant, he shall prove to the satisfaction of the board of local inspectors by an oral examination that he is trained in the duties required by his certificate. If convenient to board and applicant, written examination may be given in lieu of oral examination.

(d) Examinations shall consist of the following:

*Fireman.*—Applicant shall be examined on boiler operations, especially on oil burning systems and the hazards due to the accumulation of oil in the furnaces or bilges, or on fire room floors and tank tops. He shall have a good working knowledge of the use of water feeding devices, water indicators, pressure gages, safety valves, etc.

*Oil.*—Applicant shall be given an examination on the operation of propelling units and lubricating systems and shall have a knowledge of the use of telegraphic or other maneuvering signals, also of the operation of auxiliaries.

*Water tender.*—The applicant shall be required to pass an examination on pumps, heaters, injectors, or other methods of feeding; also on burners and other equipment connected with fuel systems. He also shall be examined as to the maintenance of a safe water level in the boilers, the piping and connections used in the feed and blow-off systems, and the hazards incurred from low water. He shall also have a thorough knowledge of the engine and fire room fire-fighting equipment.

*Deck engineer.*—The applicant shall be examined as to his knowledge of auxiliary machinery, such as winches, anchor windlasses, steering gear, etc., also telemotors and fire extinguishing apparatus for cargo holds and confined spaces on deck.

*Refrigerating engineer.*—Applicant shall be examined as to his knowledge of the principles of refrigeration, the operation and maintenance of refrigerating machinery, and the hazards which prevail in the use of certain refrigerants, also as to his knowledge of how to act in any emergency, such as the accidental release of the refrigerant into the refrigerating space.

(e) An applicant holding a certificate of service for a particular rating as qualified member of the engine department and desiring certification for another rating covered by this same form of certificate, may, upon qualifying therefor, have endorsement made on the back of his certificate covering such certification.

(f) Personnel employed in the engine department of vessels covered by sec. 1 (e) of the act of June 25, 1936, amending sec. 13 of the act of March 4, 1915, and having the required sea service of 6 months on the effective date of these regulations need pass only the oral examination provided herein. No physical examination shall be required unless the applicant, in the opinion of the local inspectors, obviously suffers physical defects appearing to render him incapable of performing such duties.

#### SEC. 6. CERTIFICATES OF SERVICE FOR RATINGS OTHER THAN ABLE SEAMEN OR QUALIFIED MEMBER OF THE ENGINE DEPARTMENT

[Sec. 1 (g) act June 25, 1936, amending sec. 13, act March 4, 1915]

(a) Certificates of service shall be issued to applicants for ratings other than able seamen or qualified members of the engine department, which certificates shall authorize the holders thereof to serve in the capacity specified therein. The applicant, however, shall produce satisfactory evidence to the local inspectors of his ability to perform the duties of the position for which he desires to be certificated.

(b) An applicant for a certificate of service as radio operator shall produce to the local inspectors his unexpired license

to act in that capacity from the Federal Communications Commission.

(c) No examination will be required for such certificates of service except that applicants for ratings contemplating the handling of food, shall produce a certificate from a physician of the U. S. Public Health Service, or reputable physician acceptable to the local inspectors, stating that he is free from communicable disease.

(d) An applicant for a certificate of service as deck boy shall produce a certificate from a physician of the U. S. Public Health Service, or reputable physician acceptable to the local inspectors, that he is qualified physically.

(e) No holder of a certificate of service as a deck boy may receive a certificate of service as ordinary seaman until he shall have had an aggregate of 6 months' service as deck boy.

(f) An applicant holding a certificate of service for a rating other than able seaman, or qualified member of the engine department, and desiring certification for another rating covered by this same form of certificate may have endorsement made on the back of his certificate covering such certification, without examination; except that, if the endorsement is for a rating contemplating the handling of food, the applicant shall produce a certificate from a physician of the U. S. Public Health Service, or reputable physician acceptable to the local inspectors, stating that he is free from communicable disease.

#### SEC. 7. RULES FOR PREPARATION AND ISSUE OF CERTIFICATES OF SERVICE AND EFFICIENCY

(a) Upon application of any person for a certificate of service or efficiency, it shall be the duty of the board of local inspectors to give the applicant the required examination as soon as practicable in every case where an examination is required, or have the assistant inspectors give such examination.

(b) Upon satisfactory completion of the prescribed examination, the board of local inspectors shall prepare an original of each certificate which shall be delivered to the applicant. The board shall complete one stub record to be forwarded to the Bureau in Washington, together with the original copy of the completed application. Another stub record shall be completed and retained in the local office.

(c) Before delivery of the original certificate, the inspectors shall place one of the photographs in the proper position upon the certificates, and the seaman shall affix his signature partly over his photograph on the certificate in such manner as not to deface or obscure any of the features, and shall likewise affix his signature to each of the stubs. The seaman may at his option impress his left thumb print on the back of the certificate of service or efficiency and upon each of the stubs. When the seaman has no left thumb, the imprint of the right thumb may be used and that fact noted.

(d) Each certificate shall be impressed with the seal of the issuing board, placed partially over the signature and photograph of the applicant. Each member of the issuing board shall affix his signature. The name of the issuing port, date of issue, and other pertinent information required to be shown on the certificate, including the proper discharge book or certificate of identification number, shall be properly entered.

(e) Any applicant for a certificate of service or of efficiency who has been duly examined and a certificate is refused by a board of local inspectors will not be permitted to make application for reexamination until 30 days have elapsed.

(f) A certificate of service or of efficiency is subject to suspension or revocation if the holder thereof is found guilty of any act of incompetency or misconduct or any act in violation of the provisions of Title 52 of the Revised Statutes or of any of the regulations issued thereunder. Such suspension or revocation shall be in accordance with the provisions of 4450 R. S., as amended.

(g) If an applicant has had a certificate revoked and is seeking a new one, the local inspectors shall, before issuing

a new certificate, forward to the Bureau a full report with reference thereto.

(h) Any person whose certificate of service or of efficiency has been stolen, lost, or destroyed, shall report that fact to a board of local inspectors as soon as possible, and if a duplicate certificate is desired, shall make affidavit in duplicate on Form 719-e, furnishing the same number of photographs as provided for in the case of an application for an original certificate. The board of local inspectors shall forthwith transmit the original copy of the affidavit and two photographs to the Director of the Bureau of Marine Inspection and Navigation, who shall thereupon cause to be prepared a certificate which shall be similar to the former certificate, bear the same book or certificate of identification number as the former certificate, and be marked "duplicate." The certificate shall then be forwarded to the proper board of local inspectors, who shall issue the duplicate certificate in the same manner as an original.

(i) Whenever a certificate of service or of efficiency is reported to a board of local inspectors as having been stolen, lost, or destroyed, the local inspectors shall immediately report the fact by letter to the Director of the Bureau of Marine Inspection and Navigation, giving all the facts incident to its loss or destruction. By the same procedure, they shall report the recovery of any certificate of service or of efficiency, together with all facts incident to its recovery, and shall forward the recovered certificate to the Director of the Bureau of Marine Inspection and Navigation. The Bulletin published monthly by the Bureau shall contain information of reported loss, theft, revocation, or suspension of certificates.

(j) A monthly and yearly report shall be forwarded by each Board of Local Inspectors to the Bureau of Marine Inspection and Navigation at Washington showing the total number of each form of certificates of service and efficiency issued by their office.

#### SEC. 8. RULES AND REGULATIONS COVERING DISCHARGE OF SEAMEN

(a) Upon the discharge of any seaman and payment of his wages, the shipping commissioner, or collector or deputy collector of customs at ports where no shipping commissioner has been appointed, shall enter in the continuous discharge book of such seaman, if the seaman carries such a book, the name and official number of the vessel, the nature of the voyage (foreign, intercoastal, or coastwise), the class to which the vessel belongs (steam, motor, sail, or barge), the date and place of the shipment and of the discharge of such seaman, the rating (capacity in which employed) then held by such seaman, and the signature of the person making such entries, and nothing more. In cases where the law does not require the seaman to be shipped and discharged before a shipping commissioner, the master of the vessel shall make the required entries in the continuous discharge book. All entries shall be made in black ink.

(b) Upon the discharge of any seaman who holds a certificate of identification issued by the Bureau of Marine Inspection and Navigation and payment of his wages, the shipping commissioner or collector or deputy collector of customs at ports where no shipping commissioner has been appointed shall issue to the seaman a certificate of discharge on Form 718-A, and make the required entries therein showing the name and citizenship of the seaman to whom it is issued, the serial number of his certificate of identification, the name and official number of the vessel, the nature of the voyage (foreign, intercoastal, or coastwise), the class to which the vessel belongs (steam, motor, sail, or barge), the date and place of the shipment and of the discharge of such seaman, and the rating (capacity in which employed) then held by such seaman. The certificate of discharge shall be signed by the seaman to whom it is issued and the master of the vessel and shall be witnessed by the shipping commissioner or, at ports where no shipping commissioner has been appointed, by the collector or deputy collector of customs. In cases where the law does not require the seaman to be shipped and discharged before a shipping commissioner, the master of the vessel shall issue such certificate

of discharge and make the required entries therein. All entries in certificates of discharge shall be made in black ink.

(c) Upon the discharge of any seaman in a foreign port the master shall make the proper entries in the continuous discharge book and on the ship's articles, and such entries shall be attested to by the consular officer. If the seaman possesses a certificate of identification the master of the vessel shall issue to the seaman a certificate of discharge on Form 718-A and make the required entries therein which shall be attested by the consular officer. If the seaman has lost his continuous discharge book or certificate of identification, the master shall furnish him with a temporary certificate of discharge (Form 719-A), attested to by the consular officer and note this fact on the articles.

(d) If a seaman loses his continuous discharge book, certificate of identification or certificate of discharge by shipwreck or other casualty, he shall be supplied with a duplicate of such book, certificate of identification, or certificate of discharge free of charge, upon application to a shipping commissioner or, at ports where no shipping commissioner has been appointed, to a collector or deputy collector of customs or United States local inspector of steam vessels. In other cases of loss, a charge shall be made for a duplicate of such book, certificate of identification or certificate of discharge in an amount equivalent to the cost thereof.

(e) The application for a duplicate continuous discharge book or certificate of identification shall be made in the form of an affidavit in duplicate on Form 719-e and three (3) photographs furnished. The shipping commissioner, collector or deputy collector of customs, or United States local inspectors of steam vessels shall transmit the original copy of the affidavit and two (2) photographs to the Director of the Bureau of Marine Inspection and Navigation, who shall thereupon cause to be prepared a continuous discharge book or certificate of identification bearing the same number as the former book or certificate of identification, and marked "duplicate." An affidavit for a duplicate certificate of discharge shall be made in the same manner as for a duplicate continuous discharge book or certificate of identification, except that it will not be necessary to furnish photographs for such certificates of discharge. Entries in duplicate continuous discharge books, certificates of identification, or certificates of discharge as taken from available records shall be made by the Central Records Section of the Bureau of Marine Inspection and Navigation. The duplicate continuous discharge book, certificate of identification or certificate of discharge shall then be forwarded to the proper shipping commissioner, collector or deputy collector of customs, or United States local inspectors of steam vessels, who shall issue the duplicate book or certificate of identification in the same manner as an original or, in the case of certificates of discharge shall deliver such certificates of discharge to the seaman.

(f) Whenever a continuous discharge book, certificate of identification or certificate of discharge is reported to a shipping commissioner, collector of customs or United States local inspector of steam vessels as having been stolen, lost, or destroyed, the shipping commissioner, collector of customs or United States local inspector of steam vessels shall immediately report the fact by letter to the Director of the Bureau of Marine Inspection and Navigation, giving all the facts incident to its loss or destruction. By the same procedure, he shall report the recovery of a continuous discharge book, certificate of identification or certificate of discharge with all the facts incident to its recovery, and shall forward the recovered book, certificate of identification or certificate of discharge to the Director of the Bureau of Marine Inspection and Navigation.

(g) Pending the issuance of a duplicate of the continuous discharge book or of the certificate of identification, the shipping commissioner, or collector or deputy collector of customs at ports where no shipping commissioner has been appointed, may furnish the seaman with a temporary certificate of discharge (Form 719-A) at the completion of the voyage, and this fact shall be noted on the articles. When the duplicate book has been issued, the record of shipment

and discharge as shown on the temporary discharge will be entered in the book, and the temporary discharge shall be surrendered to the issuing officer; or when a duplicate of the certificate of identification has been issued, a certificate of discharge on Form 718-A, will be furnished the seaman and the temporary discharge surrendered to the issuing officer.

(h) To facilitate the keeping of a complete record of the entries made in the continuous discharge books and the certificates of discharge issued to seamen holding certificates of identification, the Shipping Articles have been revised to include the following items: On the front of the agreement the following information has been added: Name of ship; official number; port of registry; date of registry; registered tons; gross and net; horse power of engines; name and address of the registered managing owner or operator; number of seamen and apprentices for which accommodations are certified; and class of ship.

(i) Columns have been added to the articles under "Particulars of engagement" for entering the continuous discharge book number or certificate of identification number and serial number of license or certificate of service; and under "Particulars of discharge" columns have been added to show the place, date, and cause of leaving ship, or of death, also a column for mutual release.

(j) On the back of the Shipping Articles the following have been added:

A certification to the effect that such entries as are authorized by the act of March 24, 1937, amending section 4551 R. S., as amended, to be made in the continuous discharge books and on certificates of discharge, agree with those made on the articles, to be signed by the U. S. Shipping commissioner or other officer duly authorized to act as such.

A table showing citizenship requirements.

A recapitulation for showing the percentage of Americans on the articles and a certification as to the correctness of same to be signed by the U. S. Shipping Commissioner or other officer duly authorized to act as such.

A summary to show the different nationalities of the crew, segregated by departments.

Extracts from the laws for the information of masters.

(k) In the future, Shipping Articles shall be made out in triplicate. One of the copies shall be retained by the shipping commissioner, and the original and a copy given to the master who shall enter therein any changes made in the crew during the voyage. In case of the paying off of any members of the crew during voyage, they shall be required to sign the mutual release on both the original and the duplicate of the articles whether discharged before a shipping commissioner in an American port or before an American Consul in a foreign port. At the completion of the voyage, when the crew is paid off, the mutual release on both the original and the duplicate of the articles must be signed by all members of the crew; and the original copy, which must contain a complete record of the entries made in all continuous discharge books during the voyage, and the entries made in all certificates of discharge issued during the voyage to seamen holding certificates of identification, shall be forwarded to the Bureau at Washington, D. C. The duplicate copy shall be retained by the shipping commissioner.

(l) All columns on the Shipping Articles shall be properly filled in and the certifications on the back properly signed. All entries made in the continuous discharge books during the voyage, and the entries made in all certificates of discharge issued during the voyage to seamen holding certificates of identification shall be shown on the ship's articles.

(m) Every seaman shall be required, when signing articles, to produce his continuous discharge book or certificate of identification, as well as his license or certificate of service, in order that the serial numbers may be entered on the articles.

(n) To further facilitate the keeping of a complete record of entries made in continuous discharge books and certificates of discharge, when seamen are not shipped and discharged before a shipping commissioner or collector or deputy col-



lector of customs the master of the vessel shall make a report to the Bureau of Marine Inspection and Navigation, Washington, D. C., on Form 719-G, which must contain a complete record of the entries made in continuous discharge books and certificates of discharge, certified to by the master.

(o) Pending the preparation and distribution of permanent certificates of identification and permanent certificates of discharge there will be issued a temporary form of certificate of identification and temporary certificate of discharge in lieu thereof, which temporary certificates shall have the same force and effect as the permanent certificates of identification and certificates of discharge and shall be issued according to the regulations herein prescribed for permanent certificates of identification and permanent certificates of discharge except that the number of such temporary certificate of identification will not be placed on certificates of service and efficiency. The space provided on such certificate of service or efficiency for a book or certificate of identification number shall be left blank until the permanent certificate of identification is issued, at which time the number will be filled in. These temporary certificates of identification and temporary certificates of discharge shall be replaced by permanent certificates of identification and permanent certificates of discharge not later than June 25, 1937.

The foregoing supersedes any rules and regulations heretofore issued conflicting herewith.

Approved March 26, 1937.

[SEAL]

ERNEST G. DRAPER,  
Acting Secretary of Commerce.

[F. R. Doc. 37-880; Filed, March 26, 1937; 4:39 p. m.]

## FEDERAL HOME LOAN BANK BOARD.

Home Owners' Loan Corporation.

[Manual Amendment]

### APPLICATION OF PARTIAL RELEASE PROCEEDS, ETC.— REAMORTIZATION OF ACCOUNTS

*Be it resolved*, That pursuant to authority vested in this Board by the Home Owners' Loan Act of 1933 (48 Stat. 128, 129) as amended by Sections 1 and 13 of the Act of April 27, 1934 (48 Stat. 643-647), and particularly by Sections 4 (a) and 4 (k) of said Act, as amended, it is hereby ordered that Section 800 (1) of the Consolidated Manual be amended to read as follows:

(1) Funds received by the Corporation for credit to its loan accounts or to accounts owing to it by reason of sales of acquired real property, from partial releases, grants of easements and flowage rights, insurance losses, mineral deeds, transactions affecting oil, gas or mineral interests, sales of timber, condemnation awards under decree or judgment of a Court or by agreement, substitution of security, additional security, other transactions which otherwise reduce or diminish the security held by the Corporation or the property sold by it and any other credits to borrowers' accounts other than repayments, are defined as "miscellaneous credits", and the net amount thereof shall be applied to the appropriate account (principal, interest, advances or other sums owing to the Corporation) in such manner, consistent with law and the provisions of the loan or sales contract as the General Manager and the General Counsel shall direct.

The authority vested in the General Manager by this subsection may be exercised also by the Regional Manager or an Assistant Regional Manager, and the authority so vested in the General Counsel may be exercised also by the Regional Counsel, all under procedure and limitations prescribed by the General Manager with the approval of the General Counsel. The Comptroller with the approval of the General Manager and the General Counsel may prescribe any necessary accounting procedure to effectuate the purpose of this sub-section; and

*Be it further resolved*, That all regulations, resolutions, administrative orders, bulletins and instructions or portions thereof, heretofore prescribed or promulgated, which are in conflict with the provisions of this section are hereby superseded and revoked; and

*Be it further resolved*, That pursuant to authority vested in this Board by the Home Owners' Loan Act of 1933 (48 Stat. 128, 129) as amended by Sections 1 and 13 of the Act of April 27, 1934 (48 Stat. 643-647), and particularly by Sections 4 (a) and 4 (k) of said Act, as amended, it is hereby ordered that the following be incorporated in Chapter II of the Consolidated Manual and be designated as Section 215;

SECTION 215. Upon the written request of the debtor, where necessary, the General Manager and the General Counsel may permit the payment of taxes, assessments, other governmental levies and charges, ground rents, attorneys' fees, cost of reconveyance or restoration, and such other items in connection with said transaction as they may deem proper, out of funds received from partial releases, grants of easements and flowage rights, insurance losses, mineral deeds, transactions affecting oil, gas or mineral interests, sales of timber, condemnation awards under decree or judgment of a Court or by agreement, substitution of security, additional security, other transactions which otherwise reduce or diminish the security held by the Corporation or the property sold by it, and from funds received as other credits to borrowers' accounts, except repayments, before directing the application of the net amount to the appropriate account, as provided in Section 800 (1) of Chapter VIII of the Consolidated Manual.

The General Manager with the approval of the General Counsel in connection with the application of the net amount of funds received from any of the foregoing transactions, as provided in said Section 800 (1), may direct that any loan account or any account owing to the Corporation by reason of the sale of real property may be reamortized, provided, however, that in case of loan accounts the period for repayment shall not exceed fifteen years from the date of the original loan, and in case of sales of acquired property such period shall not exceed fifteen years from the date of agreement of sale.

The authority vested in the General Manager by this section may be exercised also by the Regional Manager or an Assistant Regional Manager, and the authority so vested in the General Counsel may be exercised also by the Regional Counsel, all under procedure and limitations prescribed by the General Manager with the approval of the General Counsel; and

*Be it further resolved*, That all regulations, resolutions, administrative orders, bulletins, and instructions, and portions thereof, heretofore prescribed or promulgated which are in conflict with the provisions of this section, are hereby superseded and revoked; and

*Be it further resolved*, That the provisions of this resolution shall become effective 20 days after its adoption, Sundays and holidays excluded.

Adopted by the Federal Home Loan Bank Board on March 23, 1937.

[SEAL]

R. L. NAGLE, Secretary.

[F. R. Doc. 37-868; Filed, March 25, 1937; 2:19 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

### SECURITIES ACT OF 1933

#### AMENDMENT TO FORM A-1

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly Sections 7 and 19 (a) thereof, and the Securities Exchange Act of 1934, as amended, particularly Sections 15 (d) and 23 (a) thereof, and deeming that such information or documents as Form A-1, as hereby amended, requires to be set forth, but which are not specified in Schedule A of the Securities Act of 1933, are necessary and appropriate in the public interest and for the protection of investors, and that the adoption of this amendment is necessary to carry out the provisions of said Acts, hereby amends Form A-1 as follows:

I. Immediately preceding the heading "Signature of Registrant" in Form A-1 there is inserted the following:

#### UNDERTAKING TO FILE PERIODIC REPORTS

Pursuant to Section 15 (d) of the Securities Exchange Act of 1934, the undersigned registrant hereby undertakes to file with the Securities and Exchange Commission such supplementary and periodic information, documents, and reports as may be pre-

scribed by any rule or regulation of the Commission heretofore or hereafter duly adopted pursuant to authority conferred in said Section 15 (d); provided, however, that this undertaking shall become operative only upon the conditions specified in said Section 15 (d), and provided, further, that the duty to file pursuant to this undertaking shall be automatically suspended upon the conditions and for the periods specified in clauses (1), (2), and (3) of said Section 15 (d).<sup>1</sup>

II. At the bottom of the page on which the above paragraph ends, there is added the following footnote:

<sup>1</sup> Reference is made to Rule 730 which provides that the undertaking required by Section 15 (d) of the Securities Exchange Act of 1934 may be in this form. Any other form of undertaking which fully complies with said Section 15 (d) may be used.

The foregoing action shall be effective immediately upon publication.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-870; Filed, March 26, 1937; 12:18 p. m.]

#### SECURITIES ACT OF 1933

##### AMENDMENT NO. 30 TO FORM A-2

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly Sections 7 and 19 (a) thereof, and the Securities Exchange Act of 1934, as amended, particularly Sections 15 (d) and 23 (a) thereof, and deeming that such information or documents as Form A-2, as hereby amended, requires to be set forth, but which are not specified in Schedule A of the Securities Act of 1933, are necessary and appropriate in the public interest and for the protection of investors, and that the adoption of this amendment is necessary to carry out the provisions of said Acts, hereby amends Form A-2 as follows:

Immediately preceding the heading "Signatures" in Form A-2, there is inserted the following:

##### UNDERTAKING TO FILE PERIODIC REPORTS

Pursuant to Section 15 (d) of the Securities Exchange Act of 1934, the undersigned registrant hereby undertakes to file with the Securities and Exchange Commission such supplementary and periodic information, documents, and reports as may be prescribed by any rule or regulation of the Commission heretofore or hereafter duly adopted pursuant to authority conferred in said Section 15 (d); provided, however, that this undertaking shall become operative only upon the conditions specified in said Section 15 (d), and provided, further, that the duty to file pursuant to this undertaking shall be automatically suspended upon the conditions and for the periods specified in clauses (1), (2), and (3) of said Section 15 (d).

Immediately preceding the heading "Instructions as to Signatures" in the Instruction Book for Form A-2, there is inserted the following:

##### INSTRUCTION AS TO UNDERTAKING TO FILE PERIODIC REPORTS

Reference is made to Rule 730 which provides that the undertaking required by Section 15 (d) of the Securities Exchange Act of 1934 may be in the wording included in the form. Any other form of undertaking which fully complies with said Section 15 (d) may be used.

The foregoing action shall be effective immediately upon publication.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-871; Filed, March 26, 1937; 12:18 p. m.]

#### United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 25th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE STANOLIND-AMERADA ET AL-CASSOWAY FARM, FILED ON MARCH 16, 1937, BY INDUSTRIAL INVESTMENT CORPORATION, RESPONDENT

#### ORDER FOR HEARING (UNDER RULE 340 (B)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein contains an untrue statement of a material fact, or omits to state a material fact which is required to be stated therein (for the omission of which no sufficient reason is given in the offering sheet) and which is necessary to make the statements therein not misleading, to wit:

In that the gross production of water, as disclosed by Division II, Item 16 (a) (iii), is not believed to be correct by reason of the fact that the Commission has information that water is being produced from the property involved, the amount of which is greatly in excess of that set forth in the offering sheet;

It is ordered, pursuant to Rule 340 (b) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be misleading, and whether the effectiveness of the filing of the said offering sheet shall be suspended; and

It is further ordered that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as Trial Examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 9th day of April, 1937, at 11:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said Examiner may designate.

Upon the completion of testimony in this matter the Examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-873; Filed, March 26, 1937; 12:18 p. m.]

#### United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 24th day of March, 1937.

[File No. 1-1657]

IN THE MATTER OF CRANE COMPANY 7% CUMULATIVE PREFERRED STOCK, \$100 PAR VALUE AND COMMON STOCK, \$25 PAR VALUE

#### ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

The Crane Company, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to withdraw from listing and registration on the Chicago Stock

Exchange its 7% Cumulative Preferred Stock, \$100 Par Value and its Common Stock, \$25 Par Value; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, that said application be and the same is hereby granted, effective at the close of the trading session on April 5, 1937.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-872; Filed, March 26, 1937; 12:18 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE TEXAS-BLACK FARM, FILED ON MARCH 15, 1937, BY JOHN G. ELLINGHAUSEN, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on March 24, 1937, be effective as of March 24, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-875; Filed, March 26, 1937; 12:19 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE TRANSWESTERN-HANNUM FARM, FILED ON MARCH 15, 1937, BY JAMES M. JOHNSON, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on March 22, 1937, be effective as of March 22, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-877; Filed, March 26, 1937; 12:20 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE STANOLIND-BRADLEY-MITCHELL FARM, FILED ON MARCH 19, 1937, BY R. A. COOK, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the statement made under Division II, Item 1, that the smallest fractional interest proposed to be offered is "equivalent to  $\frac{1}{4}$  royalty acre" may not be correct by reason of the fact that a  $\frac{1}{1272}$  of the whole royalty interest appears to be equivalent to a  $\frac{1}{3}$  royalty acre if the tract involved contains 159 acres as stated in the answer to Division II, Item 2 (c);

(2) In that the number of barrels of oil produced, as set forth under Division II, Item 1, in which the smallest fractional interest proposed to be offered will be entitled to one barrel is not believed to be correct;

(3) In that the net production for  $\frac{1}{4}$  royalty acre and the monthly pay off for  $\frac{1}{4}$  royalty acre as disclosed by Division II, Item 16 (c) and (d) for the months enumerated are not believed to be correct.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 24th day of April, 1937, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 9th day of April, 1937, at 2:00 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-878; Filed, March 26, 1937; 12:20 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-McNABB FARM, FILED ON MARCH 19, 1937, BY S. LEROY ESTES, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING. (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the Commission has information to the effect that Stanolind Oil Company may also be a purchaser of the oil from the tract involved, and, if so, the answer made under Division II, Item 5, is not correct;

(2) In that it is believed that the payments referred to under Division II, Item 8 (a), are not made directly to the interestholder but that the monies due the interestholder are first paid to British American, which, in turn, makes disbursement to the interestholders;

(3) In that Item 8 (2), (i) to (v), inclusive, is omitted.

(4) In that it appears that title to portions of every block described in Exhibit B is involved in litigation, as a result of which the royalty payments relating to those portions of said blocks involved in such litigation are being currently impounded, and the offering sheet does not disclose such litigation or whether the interests offered by said offering sheet are or are not involved in or affected by such litigation.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 24th day of April, 1937, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet, as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 9th day of April, 1937, at 2:30 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-874; Filed, March 26, 1937; 12:19 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of March, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF AN OVERRIDING ROYALTY INTEREST IN THE WESTERN STATES-HADDOCK FARM, FILED ON MARCH 18, 1937, BY ALEX MACDONALD, RESPONDENT.

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that Division II, Item 2 (c), states "137 acres", whereas it appears that the proper answer should be "1.37 acres";

(2) In that the statement made under Division II, Item 10 (a), does not appear to divulge the required information and for that reason might be misleading;

(3) In that the figures given under Division II, Item 26 (c) may not be correctly calculated;

(4) In that the smallest interest proposed to be offered, as set forth in Division II, paragraph 1, is said to be 1/96 of 1/8 overriding royalty interest, whereas Exhibit D provides for the conveyance of 1/48 of 1/8 interest;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 23rd day of April, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 8th day of April, 1937, at 2:00 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-876; Filed, March 26, 1937; 12:20 p. m.]

**Tuesday, March 30, 1937**

**No. 60**

**TREASURY DEPARTMENT.**

**Bureau of Customs.**

**DUTY ON MANUFACTURES WHOLLY OR IN CHIEF VALUE OF WOOL**

**MARCH 4, 1937.**

*The Collector of Customs, New York, N. Y.*

SIR: Under date of January 6, 1937, the Bureau advised the Bush Woolen Mills Company, Dresden, Ohio, domestic manufacturer of steamer rugs, automobile robes, and carriage robes, in response to its request under the provisions of section 516 (b) of the Tariff Act of 1930 (U. S. C., title 19, sec. 1516), that steamer rugs, automobile robes, and carriage